GP 2771

Docket No.: AND1P030

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sean Handel et al.			
App. Ref.:	AND1P030	Examiner:	Not Assigned
Serial No.:	09/195,852		
Filing Date:	11/19/98	Art Unit:	2771
Title: SYSTEM, METHOD, AND ARTICLE OF MANUFACTURE FOR ADVANCED INFORMATION GATHERING FOR A UBIQUITOUS, VIRTUAL PROFILE SYSTEM			

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on December 9, 1999

Signed: _____
Julie A. Curts

Assistant Commissioner for Patents
Washington D.C. 20231

PETITION TO MAKE SPECIAL

37 C.F.R. 1.102 and MPEP § 708.02(VIII)

Sir:

1. Petition

Applicant hereby petitions to make this new application special. This application has not received any examination by the Examiner.

2. Fee

The Office is authorized to charge the required fee for this petition to deposit account **50-0797**, of Andersen Consulting, LLP. At any time during the pendency of this application, please charge any fees required or credit any overpayments to the aforementioned deposit account. A duplicate copy of this petition (cover and signature pages only) is enclosed for billing purposes.

3. Claims

All of the claims in this case are directed to a single invention. If the Office determines that all of the claims presented are not directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

4. Search

Searches were performed by a professional third party search firm, NERAC, in databases of U.S. patents, published Patent Cooperation Treaty applications, European patents and published applications, Japanese patents, and scientific publications. NERAC was instructed to provide the most relevant references.

Searches were conducted for a system that facilitates web-based a virtually ubiquitous network interface is created by obtaining user profile information from a user, storing the user profile information in a database and providing access to the database from any Internet enabled device with appropriate security clearance. The system responds to unsolicited updates from Internet enabled devices such as gas meters, electrical meters and household appliances to keep a user profile current. These searches revealed 29 potential references, of which 5 are U.S. patents, 4 are published Patent Cooperation Treaty applications, 2 are published European patent applications, and 18 are industry publications or materials from Internet web sites.

Since the NERAC search provided little relevant U.S. Patent prior art, a search was performed by a technical expert within our firm in databases of U.S. Patents in the

following fields: 345/326 and 345/333 and using combinations of the keywords: "user interface", "content", "user profile", "display", "product configuration" interactive", "database", and "format". This search revealed 9 new references, of which none were deemed sufficiently relevant to merit inclusion with the petition.

5. Discussion of Related References

There is submitted herewith a copy of each of the references deemed most closely related to the subject matter of the claimed invention. Also attached is Form PTO-1449.

PCT Application WO 99/01018 to Isaksson

The reference discloses a mechanism which enables information providers to direct their offerings to individual information users during those periods when an information user has a high probability of requiring the information on offer. The system disclosed in the reference comprises three entities, an information user terminal, of which there may be a plurality, information providers, of which there may also be a plurality, and an information broker's file server. These entities are linked via the Internet. More specifically, the disclosed invention is based on a system having the following functional elements: an agent-based information gathering, packaging, and presentation sub-system; a database for storage of statistical and dynamic information on customers; distribution of advertising from companies to individual customers; distribution of targeted advertising/promotional materials to individual customers; and filtration of unwanted information on an individual customer basis.

The reference fails to disclose, teach or suggest Applicants' system that facilitates creation of a web-based, virtually ubiquitous network interface by obtaining user profile information from a user, storing the user profile information in a database and providing access to the database from an Internet enabled device.

Chungan Lee, Yao-tsung Chen; An Embedded Visual Programming Interface for Intelligent Information Retrieval on the Web; Proceedings, 1997 IEEE

Knowledge and Data Engineering Exchange Workshop; IEEE Computer Society, November 4, 1997

The reference teaches an embedded visual programming interface for intelligent information retrieval built on top of the Web. The information retrieval is through the user's defined inference rules via the visual programming interface and agents.

The reference fails to disclose, teach or suggest Applicants' system that facilitates creation of a web-based, virtually ubiquitous network interface by obtaining user profile information from a user, storing the user profile information in a database and providing access to the database from an Internet enabled device. More specifically, the reference teaches visual programming but does not teach or suggest storing or utilizing user profile information whatsoever.

Bum Ryeol Yoon, Jae Jeong You, Soo Dong Ki; COPEN: A CORBA-Based Intelligent Push Engine; Proceedings 1998 Asia Pacific Software Engineering Conference; IEEE Computer Society; December 2-4, 1998

The reference discusses a Java/ORB-based interceptor that can manage a cache database on a client's computer. As a result, the user's interest is monitored, maintained in user profiles, information is selected based on the user profiles, and the information selected is pre-transmitted to the cache database for faster retrieval.

The reference fails to disclose, teach or suggest Applicants' system that facilitates creation of a web-based, virtually ubiquitous network interface by obtaining user profile information from a user, storing the user profile information in a database and providing access to the database from an Internet enabled device. In particular, the reference teaches storing content in a database rather than user profile information.

Thus, for the reasons stated above, the limitations of Applicants' claims 1, 10, and 11, are believed to be completely foreign to the teachings of the references cited herein and therefore are believed to be allowable over the cited references. Applicants' claims 2-9 depend from Applicants' claim 1 and claims 12-19 depend from Applicants'

claim 11, and therefore by virtue of their dependency are also believed to be allowable over the cited reference.

6. Declaration

As the undersigned practitioner, being duly registered to practice before the U.S. Patent and Trademark Office, I declare that I have made or caused to be made the careful and thorough search of the prior art as described herein.

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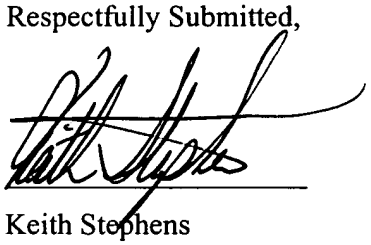
Respectfully Submitted,



Keith Stephens
Reg. No. 32,632